

Sealed

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**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

United States Courts
Southern District of Texas
FILED

MAR 28 2008

Michael N. Milby, Clerk of Court

In the Matter of the Application of the
United States of America for an Order
Authorizing the Disclosure of Precise
Location Information for a Mobile
Telephone, Number (956) 209-9333

§
§
§
§
§

Case No. H-08-244M

(UNDER SEAL)

ORDER

UN-SEALED PER Order dated
6/19/08

Application having been made by the United States for an Order pursuant to Federal Rule of Criminal Procedure 41, directing Sprint/Nextel (hereafter "Provider") to assist agents of the DEA by providing all information, facilities and technical assistance needed to ascertain the physical location of the mobile telephone assigned call number (956) 209-9333 (hereafter **Target Device**), with International Mobile Subscriber Identity (IMSI) 316010115009111, subscribed to Marissa Lara, P.O. Box 55026 Irvine, California, with service provided by the **Provider**, including but not limited to data indicating the specific latitude and longitude of (or other precise location information concerning) the **Target Device** (the "**Requested Information**"), for a period of 30 days

The Court finds that there is probable cause to believe that the **Requested Information** will lead to evidence of violations of 21 U.S.C. §§ 846 and 841(a)(1) (the "**Target Offenses**"), among other offenses, as well as to the identification of individuals who are engaged in the commission of these offenses.

IT IS HEREBY ORDERED pursuant to Federal Rule of Criminal Procedure 41 that the **Provide**, beginning at any time within 10 days of the date of this Order and for a period not to exceed 30 days from the date of this Order, provide to agents of the DEA the **Requested Information**¹ concerning the **Target Device**, with said authority to extend to any time of the day

¹ Such information shall, where other information is unavailable, include records reflecting the tower and antenna face ("cell-site") used by the **Target Device** at the start and end of any call.

or night as required, including when the **Target Device** leaves the Southern District of Texas; all of said authority being expressly limited to ascertaining the physical location of the **Target Device** and expressly excluding the contents of any communications conducted by the user(s) of the **Target Device**.

It is further ORDERED that the **Provider**, the service provider for the **Target Device**, initiate a signal to determine the location of the subject's mobile device on the **Provider's** network or with such other reference points as may be reasonably available and at such intervals and times as directed by the law enforcement agent serving the proposed order, and furnish the technical assistance necessary to accomplish the acquisition unobtrusively and with a minimum of interference with such services as the **Provider** accords the user(s) of the **Target Device**.

It is further ORDERED that the DEA compensate the **Provider** for reasonable expenses incurred in complying with any such request.

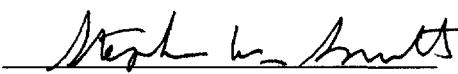
It is further ORDERED that the Court's Order and the accompanying Affidavit submitted in support thereof, as they reveal an ongoing investigation, be sealed until further Order of the Court in order to avoid premature disclosure of the investigation, guard against fugitives, and better ensure the safety of agents and others, except that copies of the Court's Order in full or redacted form may be maintained by the United States Attorney's Office, and may be served on Special Agents and other investigative and law enforcement officers of the DEA, federally deputized state and local law enforcement officers, and other government and contract personnel acting under the supervision of such investigative or law enforcement officers, and the **Provider** as necessary to effectuate the Court's Order.

It is further ORDERED that this warrant be returned to the issuing judicial officer within 10 days after the termination of the execution of the warrant.

It is further ORDERED that, pursuant to 18 U.S.C. 3103a(b) and Federal Rule of Criminal Procedure 41(f)(3), service of notice may be delayed for a period of 30 days after the termination of the monitoring period authorized by the warrant.

It is further ORDERED that the **Provider**, its affiliates, officers, employees, and agents not disclose the Court's Order or the underlying investigation, until notice is given as provided above.

Signed on 28th March 2008, at Houston, Texas.



United States Magistrate Judge
Southern District of Texas